

CITY COUNCIL MINUTES**November 19, 2012****REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, November 19, 2012 at 6:00 p.m. with Mayor Hanley presiding and Deputy City Clerk Amy M. Lind recording the minutes.

CALL TO ORDER at 5:00 p.m.

ROLL CALL:

Council Members Present: Keith Nesbitt, J. M. "Mike" Holmes, William W. Kirby, Kevin Hanley

Council Members Absent: Bridget Powers

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Cobden, Community Development Director Will Wong, Associate Planner Lance Lowe, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath and Police Chief John Ruffcorn.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

MOTION: Holmes/ Nesbitt/ Unanimously approved

1. **Conference with Labor Negotiators:**
(G.C. 54957.6)

Agency Designated Representatives: Robert Richardson, Patrick Clark

Employee Group: Auburn Police Officers Association (APOA)

REPORT OUT OF CLOSED SESSION

Mayor Hanley reported that instructions were given to the labor negotiators, and there was no other reportable action.

PLEDGE OF ALLEGIANCE**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

Commendation presented to Jennifer Henry for Industry 2012

Commendation presented to Placer Community Foundation

Commendation presented to Sutter Auburn Faith Hospital

AGENDA APPROVAL

Council Member Kirby asked for postponement of item 12 to the December 3, 2012 meeting due to the absence of Council Member Powers. This postponement and the remainder of the agenda was approved by consensus of the Council.

CONSENT CALENDAR

Council Member Kirby requested item 7 be removed from the consent calendar. Council Member Holmes requested item 1 be removed from the consent calendar.

1. **Minutes**

Removed from the consent calendar, see item 12a.

2. **Warrants**

By **RESOLUTION 12-116**, ratify and approve payment of warrants 80864 through 81075 totaling \$1,253,495.67.

3. **Lease Purchase Agreement – Fire Department Type 1 Apparatus**

By **RESOLUTION 12-117**, authorize the City Manager or his designee to execute a Master Lease Purchase Agreement in the amount of \$446,837.78 between the City of Auburn and Sovereign Bank, N.A. as it relates to the purchase of one (1) new Pierce Type 1 fire apparatus.

4. **Appointment of Arts Commissioner**

By **RESOLUTION 12-118**, appoint Hilary Grenier to the Auburn Arts Commission.

5. **Appointment of Historic Design Review Commissioner**

By **RESOLUTION 12-119**, appoint Kathryn Kratzer-Yue to the Historic Design Review Commission.

6. **Consultant Agreement for Healthy Auburn Waters**

By **RESOLUTION 12-120**, authorize the Director of Public Works to execute the consultant agreement with J Harrison Public Relations Group for public outreach assistance for the Healthy Auburn Waters program.

7. **Dump Truck Purchase**

Removed from consent calendar, see item 12b.

8. **Multi Modal Light Enhancement Project – Norris Electric Notice of Completion**

By **RESOLUTION 12-121**, authorize the recording of a Notice of Completion for the work performed by Norris Electric for the Multi Modal Light Enhancement Project on Blocker Drive.

9. **Sewer Collection System – Closed Circuit Television Van Purchase**

By **RESOLUTION 12-122**, authorize the Public Works Director to purchase a closed circuit television and van for the Sewer Collections Division.

10. **Sierra Economic Development Corporation Joint Powers Agreement**

By **RESOLUTION 12-123**, authorize the City Manager to sign the revised SEDCorp Joint Powers Agreement on behalf of the City of Auburn.

11. **Sign Ordinance**

By **MOTION**, hold a second reading, by title only, and adopt **ORDINANCE 12-05** repealing Sections 159.185 through 159.207 (Signs), including Appendix B, and adding new sections 159.185 – 159.199 (Signs) to the Auburn Municipal Code thereby updating the sign regulations for the City of Auburn.

12. **Mobile Food Vending on Private Property *** (POSTPONED) *****

Postponed to December 3, 2012.

***** End of Consent Calendar *****

By **MOTION**, approve the consent calendar with the exception of item 1, 7 & 12.

MOTION: Nesbitt/ Holmes/ Approved 4:0 (Powers absent)

12a. **Minutes**

Council Member Holmes requested a correction to the date referenced on item 15 at the 10/22/2012 meeting.

By **MOTION**, approve the City Council Minutes of October 8, 2012 and October 22, 2012 as amended.

MOTION: Holmes/ Nesbitt/ Approved 4:0 (Powers absent)

12b. **Dump Truck Purchase**

Council Member Kirby said he pulled this item for more information on the price and possible leasing options.

Public Works Director Bernie Schroeder said three bids were received for dump trucks. She said this was the lowest of the three and includes all the features needed on the truck. She spoke of the current fleet and the need for this new truck.

Finance Director Andy Heath said this is a three year lease financed from six different funds. He spoke of the benefits of leasing this equipment. He said it is a capital lease with a dollar buyout.

Bob Snyder, resident of Auburn, said the City should consider used equipment. He spoke of the airport funds being used and said he would like to see justification of the allocations.

Bernie Schroeder explained how the allocations were determined.

Council Member Nesbitt asked if used equipment was researched.

Bernie Schroeder explained that all options were looked at; and this was determined as the best purchase.

Council Member Kirby said buying new for this type of equipment makes "the most sense" due to heavy use.

By **RESOLUTION 12-124**, authorize the Director of Public Works to purchase a Dump Truck from Western Truck Parts & Equipment in an amount not to exceed \$155,000.

MOTION: Kirby/ Holmes/ Approved 4:0 (Powers absent)

13. **Public Comment**

Bob Snyder, resident of Auburn, spoke about the poor ability to view council meetings on the local cable channel, Auburn Community Television (ACTV). He also spoke of their frequently malfunctioning equipment. He stressed the importance of making council meetings available to the public.

Council Member Nesbitt congratulated the Mandarin Festival organizers on a successful event.

Council Member Holmes presented the rail piece and plaque for Placer High School's victory over Colfax High School. He said the Veteran's Day Parade was recorded by ACTV and he has DVD's available for anyone interested.

COUNCIL BUSINESS

14. Performance Budget Discussion

Community Development Will Wong presented this item. He reviewed the department vision and mission statement. He reviewed the services provided by his department: (1) Planning, (2) Building, (3) Code Enforcement, (4) Public Service Counter, (5) Affordable Housing, and (6) Special Projects. He provided statistics for planning, building and code enforcement. He said it is hard to demonstrate time spent on each activity due to the type of activities his department encompasses.

Council Member Holmes asked about budget figures for the department and fee amounts collected for their services. He said he would like a better idea of the fees collected from the department and if it covers the department's costs. He also asked about the fund balance in the business loan program account. He asked the reason for the increased abandoned vehicle statistics. He said he would like to see a breakdown on fees collected.

Will Wong said he can include the budget figures for the functions of his department. He said he can also include revenue generated from his department.

City Manager Robert Richardson said some of the data isn't fully included in these types of budget reporting yet. He said the main focus is format, and then it can be completed with all data represented.

Council Member Nesbitt asked about the number of sign permits, inspections representing new construction, time involved with departmental tasks, and tracking accomplishments.

Council Member Kirby asked how time is allocated to tasks within the department, special projects, impact due to staffing levels, and seeing more budget figures in a revised draft.

Mayor Hanley asked about the fund balance in the tree mitigation fund. He said an indicator could be the percentage of the general plan action items that are completed, percentage of code enforcement complaints resolved in a timely manner, affordable housing/ first time homebuyer

usage, block grant/ business loan program usage, and measures taken in parking management.

There was no public comment.

Council Member Holmes asked what the fund balance is in the block grant business loan program.

Will Wong said he believes it is just over \$300,000.

City Manager Robert Richardson explained the continuum between different departments in the City and the ability to show performance based budgeting.

Council Member Kirby said he has received positive feedback on dealing with the City's Community Development Department from start to finish during permitting processes.

Council Member Nesbitt said he feels there is a more effective way to measure performance. He said an estimate of the time being spent on the projects that are hard to quantify might help.

15. **Capital Improvement Program 2012/13- 2015/16**

Public Works Director Bernie Schroeder presented this item. She said the draft was presented to Council in August of 2012. She said this document acts as a financial plan for capital projects.

She reviewed all the programs of the Capital Improvement Plan (CIP) including: (1) Airport, (2) Sewer, (3) Transportation, (4) Transit, (5) Facilities, and (6) General Community (presentation available in record).

Council Member Holmes asked about the annual review and updates to the CIP.

Council Member Nesbitt asked about lift stations and the differing costs between them.

Mayor Hanley asked the City Manager about the "Project Auburn" included and possible alternatives for funding. He said he considers the park area by Auburn Journal more urgent than the proposed area.

City Manager Robert Richardson said staff can look at the park area by Auburn Journal as a proposed project. He said the area by City Hall was chosen as a continuation of Streetscape heading towards Old Town Auburn.

Mayor Hanley said Streetscape efforts should be focused near commercial establishments that have heavy foot traffic. He also asked about the Wayfinding Signage Master Plan and the need to direct traffic up Lincoln Way to the outer part of Downtown Auburn.

City Manager Robert Richardson said 3 signs for Old Town and 3 signs for Downtown are set to be installed within the next month. He said the business associations will have input on where signs will be located. He said there are also options for the business associations to buy additional signage.

There was no public comment.

Mayor Hanley said he likes the format and the single sheet description of each project.

By **RESOLUTION 12-125**, adopt the Capital Improvement Program 2012/13 – 2015/16 with the comments noted during discussion.

MOTION: Holmes/ Nesbitt/ Approved 4:0 (Powers absent)

16. **Road Overlay Report**

Council Member Hanley introduced this item. He said in 2005, a discussion was held regarding a road overlay program. He said staff has aggressively pursued grants to try to maintain the road improvement program. He said he would like an updated figure of what it would cost to maintain the 20 year cycle and keep it up to date.

Council Member Holmes asked about deteriorated streets that need total reconstruction. He said he would like those types of streets identified for priority reasons.

Public Works Director Bernie Schroeder said roads will hit a point of deterioration that will require much more extensive work. She said if it can be caught ahead of time, the costs are much less.

Council Member Nesbitt asked how partial road repairs impact centerline measurement.

Bernie Schroeder explained the pavement management system, updating the report and reevaluating the streets.

Council Member Nesbitt spoke of the seams in the street being more pronounced in recent overlays.

Bernie Schroeder talked about what can impact the outcome of the seams in an overlay.

Council Member Kirby also spoke about the seams throughout the City. He said he is not sure we are holding the contractors to the appropriate standards.

Mayor Hanley spoke about the importance of preserving roads by overlaying them before they get too deteriorated.

By **MOTION**, direct the Public Works Director to update the "Ten Year Pavement Overlay Plan" with a primary focus of determining how many centerline miles or square footage of overlay needs to be completed each year to achieve a 20-year road repair cycle and how much it would cost each year to adequately fund the road overlay program.

MOTION: Hanley/ Kirby/ Approved 4:0 (Powers absent)

REPORTS

17. City Council Committee Reports

Council Member Kirby talked about a recent visit in Auburn from Scott Johnson, the ADA Attorney. He said the ACTV item brought up in public comment is an issue that he would like referred to staff. He reported on the Mandarin Festival last weekend. He reported on the Placer High School football game last Friday night. He spoke of their league championship this year. He highlighted the students in all sports at Placer High. He reported on the Regional Sewer Ad Hoc Committee. He said he is pleased with the progress that is taking place. He spoke about the option of the state revolving fund being discussed. He said meetings still need to take place to discuss issues not yet addressed.

Council Member Holmes reported that the Sierra Economic Development Corporation Comprehensive Economic Development Strategy is still open for input; he said they will be meeting December 5th to finalize this report. He reported that he will be meeting with the Auburn Journal regarding the pedestrian crossings signs on High Street that were recently installed. He reported on recent conversations with ACTV regarding their schedule and working environment. He also reported he was surprised to find out residents of Colfax pay \$107 a month for sewer service.

Council Member Nesbitt reported on behalf of the Placer County Transportation Planning Agency, that the Capitol Corridors JPA is working on a bicycle policy to allow bikes on trains and storage areas. He reported the Streetscape History and Art Advisory Committee met to finalize street names for Baltimore Ravine and tiles for Central Square. He spoke of a

monument sign that would recognize outstanding community members. He said a map is being proposed for the third interpretative sign at Central Square. He said SHAAC will be bringing all these items to Council in the near future.

Mayor Hanley reported on the Sierra Nevada Conservancy tour at the headquarters in Auburn. He said they visited the Robbers Fire site and provided good education on fire danger in Placer County.

ADJOURNMENT

Mayor Hanley adjourned the meeting, without objection, at 8:05 p.m.

Kevin Hanley, Mayor

Amy M. Lind, Deputy City Clerk

CITY COUNCIL MINUTES

December 3, 2012

REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, December 3, 2012 at 6:00 p.m. with Mayor Hanley presiding and Deputy City Clerk Amy M. Lind recording the minutes.

CALL TO ORDER at 5:30 p.m.

ROLL CALL:

Council Members Present: Keith Nesbitt, J. M. "Mike" Holmes, William W. Kirby, Bridget Powers, Kevin Hanley

Council Members Absent: none

Staff Members Present: City Attorney Michael Colantuono, Community Development Director Will Wong, Associate Planner Lance Lowe, Fire Chief Mark D'Ambrogi, Transit Analyst Megan Siren, Administrative Services Director Andy Heath and Police Chief John Ruffcorn.

By **MOTION** adjourn to a Closed Session under Government Code Section 54956.9

MOTION: Powers/ Holmes/ Unanimously approved by voice

1. Conference with Legal Counsel:

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

Existing Litigation:
(G.C. § 54956.9(a))

Name of Case: *City of Auburn v. Sierra Patient and Caregiver Exchange, Inc. et al.*

Names of Parties: Plaintiff and Respondent – City of Auburn; Defendants and Appellants – Sierra Patient and Caregiver Exchange, Inc. and Richard Miller

Court of Appeal Case No. C069622 (Superior Court Case No. S-CV-0029599)

2. Conference with Labor Negotiators:
(G.C. § 54957.6)

Agency Designated Representatives: Robert Richardson, Patrick Clark

Employee Group: Auburn Police Officers Association (APOA)

REPORT OUT OF CLOSED SESSION

Mayor Hanley reported that Council gave direction to the City Attorney on the existing litigation and also gave instructions to the labor negotiators regarding the APOA.

PLEDGE OF ALLEGIANCE

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

A commendation was presented to Investigator Adam Cline for his hard work on a prescription drug case. The Drug Enforcement Agency also presented a certificate of appreciation to Investigator Adam Cline.

AGENDA APPROVAL

The agenda was approved by consensus of the Council.

CONSENT CALENDAR

Council Member Nesbitt removed item 1 from the consent calendar.

1. **Appointment of Planning Commissioner**

Removed from consent calendar, see item 4a.

2. **Funding Agreement with PCTPA for Bus Shelter Improvement Project**

By **RESOLUTION 12-126**, authorize the City Manager to execute the funding agreement with Placer County Transportation Planning Agency for the Bus Shelter Improvement Project.

3. **Multimodal Park & Ride Lot Paving Project – Notice of Completion**

By **RESOLUTION 12-127**, authorize the Director of Public Works to record a Notice of Completion for Simpson & Simpson, Inc. for the Multimodal Park and Ride Lot Paving Project.

4. **Auburn Municipal Airport – Construct Apron Lighting, Pavement Marking and Airfield Signage - Award**

By **RESOLUTION 12-128**, authorize the Director of Public Works to execute a construction contract with Vellutini Corporation (DBA Royal Electric) for the Auburn Municipal Airport Project A.I.P. 3-06-0012-11 – Construct Apron Lighting, Pavement Marking and Airfield Signage Project in an amount not to exceed \$94,548.30.

***** End of Consent Calendar *****

By **MOTION**, approve the consent calendar excluding item 1.

MOTION: Nesbitt/ Powers/ Approved 5:0

4a. **Appointment of Planning Commissioner**

Council Member Nesbitt said he would like to recognize Alan Young, his outgoing Planning Commissioner. He also introduced Roger Luebkehan, his new appointment to the Planning Commission.

Alan Young, outgoing Planning Commissioner, spoke about his time on the Planning Commission. He thanked staff and his fellow commissioners.

The Council Members then thanked Mr. Young for his hard work on the Planning Commission.

By **RESOLUTION 12-129**, appoint Roger Luebkehan to the Planning Commission.

MOTION: Holmes/ Powers/ Approved 5:0

5. **Public Comment**

The Council Members congratulated with Public Works Department on the hard work preparing for the storm that came through last weekend. They said they did an outstanding job proactively reducing the damage from the storm.

PUBLIC HEARING

6. **Mobile Food Vending on Private Property**

Associate Planner Lance Lowe presented this item. He reviewed the changes made to the ordinance since it was originally proposed. He said mobile food vendors would be prohibited in Old Town and Downtown, required to provide State Board of Equalization documents before obtaining a business license, requirement of gravel sites, use permit approvals, 2 hour time limit, restricted use of adjacent restrooms, one vendor per parcel and exceptions provided for parades, marches, assemblages and construction sites.

Council Member Kirby asked for a map showing the actual boundary difference between the "Historic Design Review District" and the "Historic Downtown and Old Town Districts".

Lance Lowe presented a map which shows the districts' boundaries (in file).

Mayor Hanley asked about the difference between the two historic districts.

Lance Lowe explained that the Old Town Historic District is a district that is on the national register. He said the design review district includes the same district with an additional periphery area.

Bob Snyder, resident of Auburn, said he is speaking on behalf of a voice not heard in Auburn, of young entrepreneurs. He said the action taken during the last discussion eliminated mobile food vending in Downtown unfairly. He said it is not the City Council's job to protect the brick and mortar businesses. He said a prohibition of this type of business goes too far.

Council Member Powers said she would like to see the smaller Downtown and Old Town Historic Districts be the prohibited areas. She said she would like to discuss including the Business Improvement District (BID) fees if applicable. She stressed the importance of a level playing field.

Council Member Kirby said if someone chooses not to be in attendance, their voices should not be expected to be heard (referencing previous public comment). He said mobile food vending is inappropriate in the historic districts. He said business will go where it is best served. He said he agrees that if a BID is involved, it should be part of the permit fee. He said it is not the Council's responsibility to level the playing field.

Council Member Holmes said although he disagrees with staff regarding the historic designations, he still supports the previous vote with the historic design review district map being used as the prohibited area.

Council Member Nesbitt said he would like to see a hybrid between the two maps because neither addresses all of his concerns.

Council Member Kirby asked about a possible compromise of excluded areas in these two districts.

Mayor Hanley said he disagrees with the public comment regarding Council being unaware of the difference of the districts on the map. He spoke about keeping healthy business communities, restricting historical districts, requiring BID fees, and adding a 100 yard distance requirement to brick and mortar businesses.

Council Member Kirby described the map and the 100 yard distance restriction and what it would mean for Downtown.

Council Member Nesbitt made a MOTION, to use OTBA/Downtown historic districts as prohibited areas, apply BID fees, and implement the 100 yard distance from any Brick and Mortar restaurant requirement. MOTION: Nesbitt/ Hanley/ motion withdrawn by Council Member Nesbitt.

City Attorney Michael Colantuono clarified how the 100 yard distance requirement would be determined. He said this could not be regulated in the public property section of the ordinance, only private property.

Community Development Director Will Wong spoke about the existing maps and the possibility of altering the excluded areas.

Council Member Kirby clarified how the 100 yard distance requirement would work.

Council Member Powers made a MOTION, to limit mobile food vending from operating in the OTBA/Downtown Historic Districts and apply BID fees if applicable.

MOTION: Powers/ Hanley/ defeated 2:3 (Holmes, Kirby, Nesbitt voted no)

Council Member Powers clarified that this ordinance regulates private land, in which the owner has to give permission to the food truck operator. She said this could always be discussed again in the future, and that trucks are only going to go to areas that are profitable to them.

Council Member Holmes said the Old Town District was designated through the national historic register; he said he does not know how the Downtown District became designated. He said he is concerned about mobile food vendors being allowed in these historic areas and the

enforcement of BID fees. He said he would like to put this item off to a future time where there could be an "equitable understanding."

Council Member Nesbitt said a hybrid map would need to be created to encompass significant properties.

Council Member Kirby asked about the permitting process.

Will Wong explained the BID fee and when it would be applicable.

Council Member Kirby made a MOTION, to limit mobile food vending from operating in the OTBA/Downtown Historic Districts, apply BID fees if applicable, and require a 100 yard distance from any restaurant. The motion was not seconded.

Discussion followed regarding the perimeters of the map to be used for the restricted area to protect historic districts.

Council Member Nesbitt suggested the Historic District Map be revised to include College/Oakwood/ Lincoln/ High St triangle extended to Harrison Avenue.

Council Member Kirby said with the revised map, the 100 yard distance requirement would no longer be necessary.

Council Member Holmes said he would still like to create a different map and come back at a future time.

Mayor Hanley said he agrees with the new map drawn. He said it makes a lot of "common sense."

Further clarification occurred between Council and Staff about the boundaries of the new map.

By **MOTION**, hold a first reading of this ordinance to regulate mobile food vending on private property, with the revised map of excluded areas (as Exhibit A, with no distance restrictions) and apply any applicable BID fees.
MOTION: Kirby/ Hanley/ Approved 3:2 (Nesbitt and Holmes voted no)

7. **Amendment of City Ordinance Limiting Liability – First Reading**

Michael Colantuono presented this item. He explained the need for this routine code maintenance amendment.

Mayor Hanley asked for an example of a type of situation where this may apply.

Michael Colantuono gave an example of a common scenario (standards in the code regarding physical improvements) where this type of liability would apply.

By **MOTION**, Waive full reading and introduce an ordinance to add Section 10.23 to the Auburn Municipal Code regarding limitation of tort liability for acts or omissions of City officers and employees.

MOTION: Nesbitt/ Holmes/ Approved 5:0

COUNCIL BUSINESS

8. Transparency in Bargaining

Mayor Hanley presented this item. He said this action would direct staff to report back to City Council with an analysis of a potential transparency in bargaining policy for the City. He said it would benefit the employees and the citizens of Auburn by allowing for more transparency. He then spoke of reasons why a transparency in bargaining policy would be beneficial. He said it's important financially for Council Members to make sure that the costs are sustainable going into the future. He said it would make clear the proposal to the whole bargaining unit. He also said it would eliminate the negotiator from putting forth the proposals that would directly benefit only that negotiator, at the expense of the other bargaining unit members. He said the City of Chico has adopted a similar policy. He said their policy states three elements: (1) to sunshine the initial proposals by the City and by the bargaining group on a City Council Agenda, (2) negotiate in closed session according to the law, and (3) when negotiations are concluded, the item is on the Council Business section of the agenda with a 2 week review process and a proper fiscal analysis.

Council Member Holmes asked if the City of Chico passed the memo that was included in the staff report.

Mayor Hanley said it has been in place for a couple years at Chico and they are now deciding to expand the policy at a City Council level.

Council Member Kirby asked the City Attorney if other cities have a policy to expose the initial proposals of the bargaining units and his opinion on this type of policy.

City Attorney Michael Colantuono said he has not seen this done, although a recent change in state law requires the City, before bargaining goes to impasse, to go through a fact finding process during which proposals are made public before the City can impose. He said this reflects a current trend, and this policy being discussed would be on the

edge of those trends. He also said with this type of policy, both parties in the negotiation will be aware that the public will know what the proposals involve. He explained pros and cons of transparency in bargaining policy.

Council Member Kirby said he supports this item, and that anytime the public is more aware of what is going on, it is a positive thing. He said he also supports the idea of a 5 year analysis on fiscal impact.

Council Member Nesbitt said he also supports the trend towards more transparency. He said he has worries about this opening up for posturing, but is willing to take the risk because it is good for the public to see more of the process and explains the long term effects of employee contracts.

Council Member Holmes said he also supports any effort to be more transparent.

Mayor Hanley indicated this would be brought back before Council sometime in January or February. He said he is proud of proposals that the City Council has put forward in the good times and the bad. He said these contracts are important for attracting good employees, keeping good employees, ensuring that the City is fiscally responsible, and getting the best municipal services to Auburn residents.

BY MOTION, direct staff to report back to the City Council with an analysis of a potential "Transparency in Bargaining" policy for the City of Auburn based on the experience of other local governments in California and whether it could benefit city employees and the residents of Auburn.

MOTION: Hanley/ Kirby/ Approved 5:0

REPORTS

9. City Council Committee Reports

Council Member Kirby reported on a discussion at the Wastewater Authority meeting regarding recent discussions with the County Supervisors regarding regional sewer. He commented on the drug case that was discussed during Investigator Adam Clines commendation. He also reported on the vacancy on the Planning Commission.

Council Member Holmes reported that the Ad Hoc Regional Sewer City/ County Committee sunset at the beginning of December.

Council Member Nesbitt reported that PCTPA met last week and discussed bus shelter improvements. He said a key direction they are heading is seeking ongoing funding for transportation programs. He reported on the abandonment of the "Wild and Scenic" designation for the

local parks area. He said the CA Parks Dept. is on board with the "Adventure Destination" and will be helping to create and oversee that project.

ADJOURNMENT

Mayor Hanley adjourned the meeting, without objection, at 7:50 p.m.

Kevin Hanley, Mayor

Amy M. Lind, Deputy City Clerk

CITY COUNCIL MINUTES

December 10, 2012

SPECIAL SESSION

A Special Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, December 10, 2012 at 6:00 p.m. with Mayor Hanley presiding and Deputy City Clerk Amy M. Lind recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: Keith Nesbitt, J. M. "Mike" Holmes, William W. Kirby, Bridget Powers, Kevin Hanley

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Transit Analyst Megan Siren, Senior Accounting Technician Mary Freitas, Administrative Services Director Andy Heath and Police Chief John Ruffcorn.

COLOR GUARD/ PLEDGE OF ALLEGIANCE

By Auburn Fire Department and Auburn Police Department

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

1. Temporary Regional Sewer Committee

By **MOTION**, extend the Temporary Sewer Committee for an additional six months.

2. Municipal Election Results

By **RESOLUTION 12-130**, declare the results of the General Municipal Election held on November 6, 2012.

***** End of Consent Calendar *****

By **MOTION**, approve the consent calendar.

MOTION: Nesbitt/ Powers/ Approved 5:0

3. **Public Comment**

Council Member Nesbitt and Council Member Powers congratulated everyone involved on the successful Festival of Lights Parade and Old Town Country Christmas.

Council Member Kirby announced his daughter will be running for office in Yolo County to fill a vacancy on the school board.

Mayor Hanley announced that the Fire Chief received a grant from the California Conservation Corp for \$125,000. He spoke of the work that can now be completed due to this funding.

4. **Oath of Office**

City Clerk

Bob Snyder administered the oath to City Clerk Stephanie Snyder elected November 6, 2012.

City Treasurer

Judge Charles Wachob administered the oath to City Treasurer George Williams reelected November 6, 2012.

City Council

Judge Charles Wachob administered the oath to the City Council Members reelected November 6, 2012:

Keith Nesbitt	Council Member
William Kirby, MD	Council Member

5. **Council Reorganization**

A. **Nomination and Selection of Mayor**

Mayor Kevin Hanley declared the nominations open for the position of Mayor. He reviewed the Council procedures on nominating a Mayor.

Council Member Kirby nominated Kevin Hanley for Mayor for the year 2013. There were no other nominations.

By **MOTION**, elected Kevin Hanley as Mayor for the year 2013.
MOTION: Kirby/ Nesbitt/ Approved 4:1 (Holmes voted no)

B. **Nomination and Selection of Mayor Pro Tem**

Mayor Hanley declared nominations open for Mayor Pro Tem.

Mayor Hanley nominated Bridget Powers for Mayor Pro Tem for the year 2013. There were no other nominations.

By **MOTION**, elected Bridget Powers as Mayor Pro Tem for the year 2013.

MOTION: Nesbitt/ Kirby/ Approved 5:0

6. **Oath of Office to Newly Selected Mayor and Mayor Pro Tem**

Oath of Office administered by Judge Charles Wachob to Mayor Hanley and Mayor Pro Tem Powers.

7. **Exchange of Council Seats**

Newly selected Mayor and Council Members will remain seated in order as set by precedence.

Outgoing Mayor	Council Member Nesbitt (Mayor prior to Hanley)
Alphabetically Seated	Council Member Holmes
New Mayor	Mayor Hanley
Alphabetically Seated	Council Member Kirby
Alphabetically Seated	Council Member Powers

9. **Mayor's Address**

Mayor Hanley thanked Charles Wachob for administering the oaths of office at tonight's meeting. He told a story of the history of Auburn and the team effort made to prosper in the gold rush time. He compared it to the current day, saying "teamwork is the real Auburn advantage". He said this advantage will be crucial in the challenging upcoming year. He spoke of goals for 2013 including improving public safety, creating more jobs and wealth, creating a more walkable community, continuing to be fiscally responsible and expand outdoor recreational opportunities in the American River Canyon.

He concluded by referencing the poem "Sweet Auburn" by Oliver Goldsmith.

Mayor Hanley adjourned the meeting, without objection, at 6:25 p.m.

Kevin Hanley, Mayor

Stephanie Snyder, City Clerk